

**Amendment and Response**

Applicant: Barry D. Kurtz et al.

Serial No.: 09/888,659

Filed: June 25, 2001

Docket No.: 10003919-1

Title: DOCUMENT SERVICES MANAGEMENT INCLUDING AVAILABILITY REPORTING OF DOCUMENT DISTRIBUTION SERVICES

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**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed September 29, 2004, in which claims 1-25 were rejected. With this amendment, claims 1, 3, 6, 9, 14, 15, 17, 19, and 21 have been amended to clarify Applicant's invention. Applicant notes that claims 2 and 16 were previously cancelled without prejudice. Claims 1, 3-15, and 17-25, therefore, remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-5 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower, Jr. et al. U.S. Patent No. 5,467,434 in view of McLaughlin U.S. Patent No. 5,630,079. Claims 6-11 and 17-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower, Jr. et al. U.S. Patent No. 5,467,434.

With this Amendment, independent claims 1 and 14 have been amended to clarify that the method includes registering document distribution services of a plurality of document distribution providers, with the document distribution services including print services, electronic mail services, and publishing services, identifying at least one resource of the document distribution providers for performing each of the document distribution services, and receiving and processing document distribution requests each specifying at least one of the document distribution services. In addition, independent claim 15 has been amended to clarify that the system includes a document distribution system controller configured to have document distribution services of a plurality of document distribution providers registered therewith, with the document distribution services including print services, electronic mail services, and publishing services, wherein the document distribution system controller is adapted to receive and process document distribution requests each specifying at least one of the document distribution services, and wherein the availability analysis system is adapted to record a real-time status and a historical status of at least one attribute of at least one resource of the document distribution providers for each of the document distribution services.

With respect to the Hower, Jr. et al. and McLaughlin patents, neither of these patents, individually or in combination, teach or suggest a method of managing document distribution

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services as claimed in amended independent claims 1 and 14, nor a system for managing document distribution services as claimed in amended independent claim 15.

In view of the above, Applicant submits that independent claims 1, 14, and 15 are each patentably distinct from the Hower, Jr. et al. and McLaughlin patents and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 3-13 further define patentably distinct claim 1, and dependent claims 17-25 further define patentably distinct claim 15, Applicant submits that dependent claims 3-13 and dependent claims 17-25 are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1-5 and 12-15 under 35 U.S.C. 103(a) and claims 6-11 and 17-25 under 35 U.S.C. 103(a) be reconsidered and withdrawn and that claims 1, 3-15, and 17-25 be allowed.

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DOCUMENT DISTRIBUTION SERVICES**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1, 3-15, and 17-25 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Robert C. Sismilich at Telephone No. (858) 655-8329, Facsimile No. (858) 655-5859 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

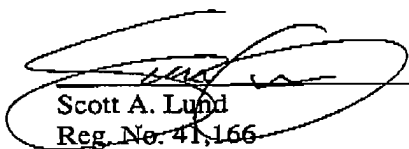
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Respectfully submitted,

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 28<sup>th</sup> day of December, 2004.

  
By  
Name: Scott A. Lund